

MINUTES

BOARD OF COMMISSIONERS

The Board of Commissioners of the City of Burkburnett, Texas met in a regular meeting on Monday, July 18, 2016 at 7:00 p.m. in the Council Chambers of the City Hall, 501 Sheppard Road, Burkburnett, Texas. The meeting was open to the public with notice being given in compliance with the Open Meetings Act. The following Commissioners were present:

Carl Law	Mayor
Bill Lindenborn	Mayor Pro Tem
Randy Brewster	Commissioner
Frank Ducos	Commissioner
Jeremy Duff	Commissioner
Marguerite Love	Commissioner
Mike Tugman	Commissioner

Others present: Mike Whaley, City Manager; Trish Holley, Director of Administration; Gordon Smith, Director of Public Works; Janelle Dolan, City Clerk; and Ed Stahr, Police Chief.

Item 1. Mayor Law called the meeting to order and welcomed the visitors.

Item 2. Invocation was given by Phillip Kenedy, Pastor of New Hope Church of the Nazarene.

Item 3. The Pledge of Allegiance was led by Commissioner Tugman.

Item 4. Consent Agenda.

A. Approval of Minutes from June 20, 2016

Motion was made by Commissioner Love, seconded by Commissioner Ducos to approve Consent Agenda 4. Motion carried unanimously.

Mayor Law moved up Agenda Item 8.

Item 8. Mike Whaley, City Manager, addressed the Mayor and Commissioners and stated a request was sent to the City of Burkburnett to enter into a new Interlocal Agreement with Wichita County to assess and collect current and delinquent taxes for the City of Burkburnett. The current agreement has been in place since 2004. In the proposed agreement, Wichita County is addressing the fee that has been in place since the 2004 agreement which reads, "taxing unit shall pay \$1.00 per taxable account per year." The new agreement reads, "taxing unit shall pay an amount determined by the calculation of

the previous year of operational costs by the Wichita Appraisal District from the appraisal roll submitted to the taxing entities for the current year of collection.” Currently, as reflected in their summary, the cost would be \$2.85 per parcel which totals \$17,060.10. Prior to the 2004 agreement, the City employed an individual that collected the taxes. Mr. Whaley stated even with the adjusted costs from Wichita County, it is still more cost effective for the City to continue to partner with Wichita County than to hire an individual, pay salary and benefits and associated costs with running a tax collection department.

The following addressed the Mayor and Commissioners:

Tommy Smyth, Wichita County Tax Assessor

Clay Glasgow, Chief Deputy Tax Assessor

Motion was made by Commissioner Tugman, seconded by Commissioner Duff to enter into a interlocal agreement with Wichita County for the purpose of collecting ad valorem taxes under the new agreement.

Ayes: Mayor Law; Commissioners Lindenborn and Ducos

Nays: Commissioners Brewster, Duff, Love and Tugman

Motion failed.

Item 5. Mayor Law closed the regular meeting at 7:58 p.m. and opened the “Public Hearing” to receive public comment with regard to the First Amended Project Plan and Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number One, City of Burkburnett (the Zone) for the provision of increased public infrastructure costs and extending the life of the Zone by an additional ten (10) years.

There were no speakers.

Item 6. Mayor Law closed the “Public Hearing” at 8:00 p.m. and reopened the regular meeting.

Item 7. Ordinance Number 900 was presented in its entirety. Caption of same being:

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE PROJECT PLAN AND REINVESTMENT ZONE FINANCING PLAN FOR REINVESTMENT ZONE NUMBER ONE, CITY OF BURKBURNETT, TEXAS; AUTHORIZING THE CITY CLERK TO DISTRIBUTE SUCH PLANS; EXTENDING THE DURATION OF THE ZONE TO DECEMBER 31, 2035; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE FOREGOING SUBJECT; AND PROVIDING FOR SEVERABILITY.

Motion was made by Commissioner Love, seconded by Commissioner Ducos to approve Ordinance Number 900 with the following corrections: the last Whereas change 2035 to

December 31, 2035, and in Section 5 remove the word be from be held. Motion carried unanimously.

Item 9. Resolution Number 609 was presented in its entirety. A resolution authorizing a Burkburnett Development Corporation economic incentive agreement with HomeWell Senior Care Inc.

Mike Whaley, City Manager addressed the Mayor and Commissioners and stated the Burkburnett Development Corporation (BDC) proposes entering into an agreement with HomeWell Senior Care, Inc. of Burkburnett wherein the BDC will provide an economic incentive package worth **\$85,700.00** provided for the expansion of business along with retention of existing jobs and creation of new jobs within Burkburnett, Texas, the terms of which are more specifically described below:

The BDC will provide HomeWell Senior Care, Inc. job creation incentives in the amount of **\$57,000** for the **retention of 10 existing jobs** with an annual payroll of \$500,860.48 and the **creation of 48 new jobs** over the next three years with an anticipated payroll over \$1,000,000. All new jobs will be located in Burkburnett, TX. The incentive will be paid in equal installments over the next three years provided Homewell Senior Care, Inc. meets their job creation goals. In order to qualify for such payment, Homewell Senior Care, Inc. will provide the BDC documentation reflecting total number of new personnel employed to include start dates and salary.

The BDC would also agree to provide HomeWell Senior Care, Inc. **capital investment incentives** in the amount of **\$28,700** which is 10% of Homewell Senior Care, Inc.'s total investment of \$287,000. The remainder of the capital investment incentive will be rolled into the job creation incentive.

HomeWell Senior Care, Inc. estimates it will purchase, renovate, and complete improvements to the subject property, relocate and begin operations as soon as possible, no later than 12 months from the date of this agreement, and will retain ten (10) existing jobs and create forty-eight (48) jobs over the next three years at such location.

Motion was made by Commissioner Brewster, seconded by Commissioner Ducos to approve Resolution Number 609 as presented. Motion carried unanimously.

Item 10. Gordon Smith, Director of Public Works, addressed the Mayor and Commissioner and stated the City of Burkburnett's Cemetery Board consists of seven (7) appointed members that serve a 2-year term. Ted Kwas' term is nearing its end. Staff contacted Ted Kwas and he is willing to continue to serve on the Cemetery Board.

Motion was made by Commissioner Tugman, seconded by Commissioner Lindenborn to approve the re-appointment of Ted Kwas to the Cemetery Board. Motion carried unanimously.

Item 11. Mr. Smith addressed the Mayor and Commissioner and stated the Zoning Board of Adjustment consists of five (5) members and two (2) alternates that serve two (2) year terms. The terms of Matt Horn (Alternate) and Roy Cheney (Appointed) are ending. Staff contacted both Matt Horn and Roy Cheney and both are willing to continue to serve on the Zoning Board of Adjustment.

Motion was made by Commissioner Tugman, and seconded by Commissioner Duff to reappoint Matt Horn (Alternate) and Roy Cheney (Appointed) to the Zoning Board of Adjustment. Motion carried unanimously.

Item 12. Mr. Whaley addressed the Mayor and Commissioners and stated the Pool Trust Agreement provide for three (3) year staggered terms of office for Trustees. Terms expire for Trustees in TML Region 5 on September 30, 2016. The Trust Agreement provides that all Pool Members in an affect region have an opportunity to submit nominations. Mike Smith, is the City Manager of Jacksboro, and the incumbent Board Member for TML Region 5. Staff recommends nominating Mr. Smith based on his given experience of serving on the Board of Trustees.

Motion made by Commissioner Tugman, seconded by Commissioner Lindenborn to nominate incumbent Mike Smith to the TML IEP Board of Trustees. Motion carried unanimously.

Item 13. Review of monthly reports.

- A. Administration-Janelle Dolan, City Clerk, reported the TML Annual Conference is scheduled for October 4-7, 2016 in Austin.
- B. Public Safety- Ed Stahr, Police Chief, reported Pat Hanlon, EMT, is retiring. His retirement reception will be held at City Hall on July 29th at 2:30 pm.
- C. Public Works- Mr. Smith provided a presentation on the water well leases and their performance.

Item 14. No public comments.

Item 15. City Manager comments.

- Region 5 TML Dinner-July 21, 2016 in Iowa Park
- Budget Meetings-August 8-9, 2016 1pm

Item 16. No Commissioner comments.

Item 17. Motion was made by Commissioner Tugman, seconded by Commissioner Ducos to adjourn. Motion carried unanimously.

Carl Law, Mayor

ATTEST:

Janelle Dolan, City Clerk